IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 271 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE D.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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RAMESHBHAI AMBARAMBHAI PATEL

Versus

MANSUKHBHAI JAVERBHAI PATEL

Appearance:

1. Civil Revision Application No. 271 of 2002

MR SATYEN B RAWAL for Petitioner No. 1

MR HD VASAVADA for Respondent No. 1

CORAM : MR.JUSTICE D.K.TRIVEDI

Date of decision: 08/05/2002

ORAL JUDGEMENT

Rule. Mr. Vasavada, learned advocate for the respondent waives service of Rule. Rule is fixed forthwith. Heard Mr. Rawal, learned advocate for the petitioner - original plaintiff and Mr. Vasavada, learned advocate for the respondent - original defendant. During the hearing I was taken through the order under challenged passed by the learned Extra Assistant Judge, Surendranagar dated 25.2.2002 in Civil Misc. Application, wherein the learned Appellate Judge has

allowed the appeal and quashed and set aside the order passed in Civil suit No. 104 of 2001. The plaintiff has filed injunction application Ex. 5 in Civil Suit No 104/2001, wherein, the learned trial Judge has on 7.9.2001 granted status-quo in respect of the property shown in para (1) of the application and confirmed till the final disposal of the suit.

2. Being aggrieved and dissatisfied with the order passed by the learned Appellate Judge, the petitioners have preferred this Civil Revision Application, wherein this court has on 13.3.2002 has issued notice and order of the trial Court to maintain status quo is continued. Mr. Vasavada, learned advocate for the respondent has submitted that the respondent will maintain status quo till the disposal of the suit and the learned trial Judge be directed to dispose of the suit as early as possible.

3. Considering the submissions made before me and in view of the stand taken by Mr. Vasavada, without expressing anything on the contentions raised before me and without examining the order under challenge, while disposing of this revision application, the learned trial Judge is directed to decide the Civil Suit No. 104 of 2001 as expeditiously as possible in accordance with law. Both the parties are directed to maintain status quo till the disposal of the suit.

4. With this observation, revision application is allowed in above terms. Rule is made absolute with no costs.

(D.K.Trivedi,J.)
pallav